

CENTRAL ADMINISTRATIVE TRIBUNAL
ALLAHABAD BENCH
ALLAHABAD

Original Application No. 1124 of 1994

Allahabad this the 20th day of July, 2000

Hon'ble Mr. S.K.I. Naqvi, Member (J)
Hon'ble Mr. S. Biswas, Member (A)

Manju Singh, wife of Vijai Kumar Singh, resident of Village and Post Office Rajwari (Chaubeypur) Distt. Varanasi.

Applicant

By Advocate Shri R.P. Singh

Versus

1. Union of India through the Director General, Post Offices, Dak Bhawan, New Delhi.
2. Post Master General, Allahabad Region, Allahabad.
3. Senior Superintendent of Post Offices, Varanasi Division, Varanasi.
4. Anil Kumar Singh, son of Late Sri Ram Nath Singh, E.D.B.P.M. Village Rajwari via Sayed Raja, District Varanasi.

Respondents

By Advocate Shri S.C. Tripathi

Q U E S T I O N (Oral)

By Hon'ble Mr. S.K.I. Naqvi, Member (J)

On 14.10.1993, Shri Shiv Nath Singh, E.D.B.P.M., Rajwari retired, for which a vacancy was there to be filled. Amongst the candidates to be appointed to this post, the applicant Smt. Manju Singh and respondent no-4 Shri Anil Kumar Singh were also the aspirants alongwith 8 others.

Shri Anil Kumar Singh was appointed being found most suitable candidate fulfilling all the conditions required for the post. The applicant Smt. Manju Singh has challenged this appointment claiming herself to be a better candidate for having secured more than percentage of marks in the High School examination than respondent no.4 and fulfilling the other requirement for the post.

2. The respondents have contested the case and filed counter-affidavit with a chart annexed as annexure C.A.-2, giving details of all the candidates for the post and pleaded that among all the candidates, Shri Anil Kumar Singh was found the most suitable, hence appointed.

3. Heard, the learned counsel for the rival contesting parties and perused the record.

4. It is true that Smt. Manju Singh obtained 65.5% marks in the High School whereas Shri Anil Kumar Singh got only 47.2% marks and thereby if the educational qualification is the only consideration, definitely Smt. Manju Singh is the better candidate. But amongst the other requirements, at the time of consideration for selection, there was no permanent source of income from landed property in the name of the applicant - Smt. Manju Singh, whereas respondent no.4 was having agriculture land and income therefrom. If the position of requirement is compared between the applicant and respondent no.4, it is found that Smt. Manju Singh does not fulfil

on

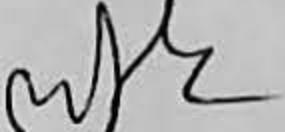
..... pg. 3/-

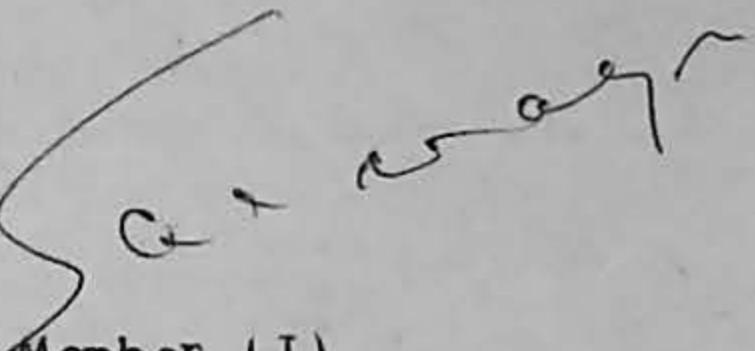
San

:: 3 ::

one of the requirements for having income from the landed property and, therefore, we find that Shri Anil Kumar Singh was definitely a better candidate. Moreover, after this 7 years time, it will not be proper to unsettled the position in respect of the employment of respondent no.4.

5. For the above, the O.M. is dismissed.
No order as to costs.


Member (A)


Member (J)

/M.M./